

CALIFORNIA STATE SENATE SELECT COMMITTEE ON MANUFACTURED HOMES AND COMMUNITIES

2011-2012 LEGISLATIVE SESSION

Mobilehome Residency Law and other related bills

Updated 2011 September 13

BILLS	SUBJECT	HISTORY (most recent action listed first)	NOTES
AB 317 C.Calderon	Mobilehome: local rent control ordinances Last amended: 2011 April 25 This bill would revise conditions under which a mobilehome tenancy is exempt from local rent control. It would specify the evidence upon which park management may rely to determine, whether the residence is the mobilehome owner's sole residence.	A/Housing & Community Dev.	Support: Western Manufactured Housing Communities Assoc. (Sponsor) Opposed:
AB 448 Ammiano	Property taxation: change in ownership Last amended: 2011 Sep 8 This bill would expand the property tax liability, and penalties, on property transfers. May affect resident-owned mobilehome parks.	A/Revenue & Taxation	Support: Opposed:
AB 466 Butler	Common interest developments: assessments Makes technical and non-substantive changes to the Davis-Stirling Act. SPOT BILL		Support: Opposed:

AB 579 Monning	Mobilehome parks: liability: attorney's fees This bill would permit the award of attorney's fees to a local government entity in an action brought by the owner of a mobilehome park to challenge a local ordinance, such as rent control.	A/Judiciary	Support: Golden State Manufactured Homeowners Assoc. (Sponsor) Opposed:
AB 657 Gordon	Corporations: statement of information: Secretary of State Last amended: 2011 Mar 21 This bill would allow a corporation to receive the annual renewal notice provided by the Secretary of State by email, among other provisions.	SIGNED – Chap 204 (Statutes of 2011)	Sponsor: CA Sec'y of State
AB 697 Perez	Veteran: acquisition of home: interest of record Last amended: 2011 May 4 This bill would authorize the Department of Veterans Affairs to acquire a home, including a mobilehome, for the purpose of refinancing an existing mortgage loan, that is not an existing loan acquired under the Veterans' Farm and Home Purchase Act.	Enrolled S/Floor – Passed 37-0 S/Approps – Passed 9-0 S/Veterans Affairs – Passed 7-0 A/Floor – Passed 78-0 A/Appropriations – Passed 16-0 A/Housing – Passed 7-0 A/Veterans – Passed 7-0	Support: American Legion – Dept. of Calif.; AMVETS – Dept. of Calif.; CA Assoc. of County Veterans Service Officers; CA State Commanders Veterans Council; Vietnam Veterans of America – CA State Council Opposed:
AB 771 Butler	Common interest developments: requests for documents: fees Last amended: 2011 July 12 This bill would require that the seller of a separate interest in a CID provide copies of minutes of governing board meetings to prospective buyers, when requested, including estimate of actual costs, as specified.	SIGNED – Chap. 206 (Statutes of 2011)	Sponsor: CA Assoc. of Realtors

AB 805 Torres	Common interest developments This bill comprehensively reorganizes and recodifies the Davis-Stirling Act.	S/Transportation & Housing A/Floor – Passed 73-0 A/Judiciary – Passed 9-0 A/Housing – Passed 7-0	Support: CA Law Revision Commission (Sponsor); CA Associations Institute Opposed:
AB 806 Torres	Common interest developments This bill would make various technical conforming changes to reflect a proposed revision and recodification of the Davis-Stirling Common Interest Development Act.	S/Transportation & Housing A/Floor – Passed 73-0 A/Judiciary – Passed 9-0 A/Housing – Passed 7-0	Sponsor: CA Law Revision Commission (Sponsor); CA Associations Institute Opposed:
AB 928 Wieckowski	Housing and community development: Mobilehome parks This bill makes technical, nonsubstantive changes in the Mobilehome Parks Act. SPOT BILL		Support: Opposed:
AB 1084 Davis	Veterans' farm and home purchases: definitions: home Last amended: 2011 Sep 2 This bill would expand the definition of a cooperative housing corporation to include a mobilehome in a shared equity cooperative.	A/Floor – Passed 79-0 S/Floor – Passed 37-0 S/Appropriations – Passed 9-0 S/Veterans Affairs – Passed 7-0 A/Floor – Passed 72-0 A/Appropriations – Passed 15-1 A/Veterans – Passed 7-0	Support: CA Assoc. of Veterans Services Agencies (Sponsor); AMVETS, Dept. of Calif.; Swords to Plowshares; Vietnam Veterans of Calif. Opposed:

AB 1090 Blumenfield	Taxation: property tax deferment Last amended: 2011 May 31 This bill would, among other provisions, allow a county to elect to participate in a deferred property tax program for seniors and disabled homeowners.	Enrolled S/Floor – Passed 38-0 S/Gov. & Fin. – Passed 9-0 A/Floor – Passed 75-0 A/Appropriations – Passed 11-5 A/Rev & Tax – Passed 5-2	Support: AARP; CA State Assoc. of Counties; CA Senior Legislature; CA Assoc. of Realtors Opposed:
ABx1 29 Blumenfield	State responsibility areas: fire prevention fees Last amended: 2011 June 14 Requires the Board of Forestry and Fire Protection, or/before Sept. 1, 2011, to adopt emergency regulations to establish a fire prevention fee to be charged on each structure, including mobile and manufactured homes, on a parcel that is within a state fire responsibility area.	SIGNED – Chap. 8 (Stats of 2011-12, 1 st Ex Session)	
SB 110 Rubio	Real property disclosures: mining operations Last amended: 2011 July 5 This bill would enhance the statutory limitation on liability, in re disclosure of natural hazards in property transactions, of notice of nearby mining operations.	SIGNED – Chap 253 (Statutes of 2011) S/Floor – Passed 38-0 A/Floor – Passed 77-0 A/Judiciary – Passed 9-0 S/Floor – Passed 39-0 S/Judiciary – Passed 5-0	Sponsor: CA Construction and Industrial Materials Association
SB 149 Correa	Mobilehomes SPOT BILL		Support: Opposed:

SB 150 Correa	Common interest developments Last amended: 2011 June 9 Would exempt new owners of a separate interest in a CID from subleasing prohibitions, under specific circumstances.	SIGNED – Chap.62 (Statutes of 2011)	Sponsor: CA Association of Realtors
SB 209 Corbett	Common interest developments: electric vehicle charging stations Last amended: 2011 June 6 Voids CID homeowner contracts that prohibit electric vehicle charging stations. Requires homeowner to be responsible for various costs associated with maintaining and repairing the station.	SIGNED – Chap. 121 (Statutes of 2011)	
SB 337 Kehoe	Common interest developments: tenancy: political signs Last amended: 2011 Aug 30 This bill would prohibit a landlord from prohibiting a tenant from posting or displaying political signs, except under certain circumstances. Also would require a tenant to comply with the time period established by local ordinance for posting and removal of signs or, in the absence of those provisions, by reasonable time limits, as specified, by the landlord.	Enrolled A/Floor – Passed 65-11 A/Judiciary – Passed 7-3 S/Floor – Passed 23-15 S/Judiciary – Passed 3-2	Support: Amer. Civil Liberties Union (Sponsor); CA Congress of Seniors; Tenants Together. Org; Western Center on Law and Poverty Opposed: Apartment Assoc., CA Southern Cities; Apartment Assoc. of Greater L.A.; Apartment Assoc. of O.C.; CA Apartment Assoc.; CA Assoc. of Realtors; San Diego County Apartment Assoc.; San Francisco Assoc. of Realtors; Santa Barbara Rental Property Assoc.

SB 376 Fuller	Real estate brokers Last amended: 2011 Aug 15 This bill would revise the definition of “real estate broker” to include a person who performs those actions in connection with a chattel mobilehome loan, as specified.	A/Floor A/Appropriations – Passed 17-0 A/Business & Prof. – Passed 9-0 S/Floor – Passed 40-0 S/Appropriations – 28.8 S/Business & Prof. – Passed 9-0	Support: Western Manufactured Housing Communities Assoc. (Sponsor) Opposed:
SB 444 Evans	Land use: subdivisions: rental mobilehome park conversion Last amended: 2011 Apr 26 In regards to a proposed subdivision of a mobilehome park, this bill would clarify that a local agency is required to consider the results of a survey of the residents in making its decision to approve the proposal.	S/Floor – FAILED 18-16	Sponsors: Counties of Sonoma and Ventura; Golden State Manufactured Homeowners Assoc.
SB 507 DeSaulnier	Property taxation: change in ownership statement Last amended: 2011 July 1 This bill proposes changes in penalties and filing deadlines for homeowners, including manufactured homeowners, when submitting change of ownership statement to the county assessor’s office.	S/Floor – Passed 21-15 A/Floor – Passed 47-28 A/Appropriations – Passed 12-5 A/Rev & Tax – Passed 6-3 S/Floor – Passed 21-13 S/Gover. & Fin. – Passed 6-2	Support: CA Assessors Assoc. (Sponsor); CA State Assoc. of Counties; CA Tax Reform Assoc. Opposed:

SB 561 Corbett	Common interest developments: delinquent assessments Last amended: 2011 April 12 This bill would impose restrictions and prohibitions on any 3rd party acting to collect payments or assessments on behalf of a common interest development association. It would, specifically, prohibit a third party from acting as a trustee in a foreclosure proceeding.	A/Judiciary S/Floor – Passed 25-15 S/Judiciary – Passed 4-1	Support: CA Alliance of Retired Americans (Sponsor); Center for CA HOA Law (Sponsor); AARP; CA Advocates for Nursing Home Reform; Congresswoman Speier; Consumer Attys of CA; Older Women’s League of CA – Sac Chapter; Older Women’s League Opposed: CA Assoc. of Community Mgrs; Community Associations Institute; Exec. Council of Homeowners (ECHO)
SB 562 Cmte on Transportation and Housing	Housing omnibus Last amended: 2011 June 20 Among other provisions, this bill would increase fees on behalf of the Manufactured Home Recovery Fund.	SIGNED – Chap 239 (Statutes of 2011)	
SB 563 Cmte on Transportation and Housing	Common interest developments: meetings Last amended: 2011 July 5 This bill would permit, and sets forth restrictions for, common interest development board meeting to be conducted via teleconference.	SIGNED – Chap. 257 (Statutes of 2011)	

SB 674 Padilla	Telecommunications: master-metering: data security Last amended: 2011 July 6 This bill would provide that utility companies' energy efficiency rebates, not including other rebates such as CARE, shall be retained by the master-meter customer for reinvestment in energy efficiency programs. It would also require customer consent prior to utilities companies' giving of customer data to 3 rd party.	SIGNED – Chap 255 (Statutes of 2011)	
SB 759 Lieu	Common interest developments: artificial turf Last amended: 2011 Mar 22 This bill would provide that a provision of any of the governing documents of a common interest development shall be void and unenforceable if it prohibits, or includes conditions that have the effect of prohibiting, the use of artificial turf or other synthetic surface that resemble grass. This prohibition would not prohibit an association from applying design and quality standards rules.	VETOED by the Governor	Sponsor: San Diego County Water Authority
SB 880 Corbett	Common interest developments: electric vehicle charging stations Last amended: 2011 Sep 7 (gut & amend) Enhances the provisions of SB 209 (Chap. 121; 2011) by authorizing the CID board to grant exclusive use of a portion of the common area without the affirmative vote of the membership for the purpose of installing and using an electric vehicle charging station, under specific circumstances.	(Previous version: S/Floor – Passed 40-0 S/Enviro Quality – Passed 7-0)	

SB 947 Cmte on Governance and Finance	Property taxation Last amended: 2011 June 29 Among other provisions, this bill would include resident-owned parks in the definition of real property, for the purposes of property taxation, specifically including an interest in a unit or lot within a cooperative housing corporation.	Enrolled S/Floor – Passed 40-0 A/Floor – Passed 78-1 A/Appropriations – Passed 17-0 A/Rev & Tax – Passed 9-0 A/Local Govt. – Passed 9-0 S/Floor – Passed 39-0 S/Appropriations – 28.8 S/Gov & Finance – Passed 9-0	Support: State Board of Equalization (sponsor) Opposed:
SBx1 17 Cmte on Budget & Fiscal Review	State responsibility areas: fire prevention fees Last amended: 2011 June 14 Requires the Board of Forestry and Fire Protection, or/before Sept. 1, 2011, to adopt emergency regulations to establish a fire prevention fee to be charged on each structure, including mobile and manufactured homes, on a parcel that is within a state fire responsibility area.	A/Budget S/Floor – Passed 24-5	